

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO**

IN RE:

**JOAN MALDONADO ORTA
HECTOR L SANCHEZ COLON
DEBTOR**

* **CASE NO: 14-07820 ESL**
*
* **CHAPTER 13**
*

**DEBTOR'S REQUEST FOR A POST CONFIRMATION MODIFICATION OF PLAN UNDER
SECTION 1329 OF THE BANKRUPTCY COURT**

TO THE HONORABLE COURT:

COMES NOW debtor through their legal representative and respectfully states and prays as follows:

1. That debtors filed for Voluntary Petition under the provision of 11 USC Chapter 13 of the Bankruptcy Code on September 23rd, 2014.
2. Debtors had an economic situation in which they became in arrears to the Chapter 13 plan. This matter has been solved.
3. Debtor is submitting a Post Confirmation modification of payment plan to correct plan base and provisions to Reliable Financial.

WHEREFORE debtors very respectfully request from this Honorable Court to grant this Post Confirmation Modification of Plan base on the above and not dismiss case.

NOTICE TO CREDITORS & PARTIES IN INTEREST

Parties in interests are notified that they have twenty-one days to reject a proposed modification of a plan and request a hearing. Absent good cause, untimely rejection shall be denied.

I HEREBY CERTIFY: On this same date I have filed this motion electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee and that we have sent copy of this document through regular mail to all non CM/ECF participants interested parties to their address of record.

In Juncos, Puerto Rico this 17th, day of November of 2017.

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ELECTRONICALLY FILED
S/ Adela L Torruella,
USDC- PR 20020

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: **JOAN MALDONADO ORTA**
HECTOR L SANCHEZ COLON
DEBTOR(S)

BK. CASE # **14-07820 ESL**
CHAPTER 13

AMENDED CHAPTER 13 PAYMENT PLAN

NOTICE: • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than fourteen (14) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty-one (21) days from its notification. • This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, twenty-one days prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

- The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:
☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.
- The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
- The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: **November 17, 2017**

AMENDED PLAN DATED: _____

☐ PRE ☒ POST-CONFIRMATION

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

III. DISBURSEMENT SCHEDULE SEQUENCE

\$	915.00	x	12	= \$	10,980.00
\$	1,100.00	x	23	= \$	25,300.00
\$	0.00	x	2	= \$	0.00
\$	875.00	x	23	= \$	20,125.00
\$	0.00	x	0	= \$	0.00
TOTAL =				60	\$ 56,405.00

A. SECURED CLAIMS:

☐ Debtor represents that there are no secured claims.

☒ Secured creditors will retain their liens and shall be paid as follows:

☐ **ADEQUATE PROTECTION** Payments: Cr. _____ \$ **0.00**
☒ Trustee will pay secured **ARREARS:**
Cr. **SCOTIABANK** Cr. _____ Cr. _____
Acct. **0014273522** Acct. _____ Acct. _____
\$ **660.00** \$ _____ \$ _____

☐ Trustee will pay **REGULAR MONTHLY PAYMENTS:**

(please refer to the above related notice, for important information about this provision)

Cr. _____ Cr. _____ Cr. _____
Acct. _____ Acct. _____ Acct. _____
Monthly Pymt. \$ _____ Monthly Pymt. \$ _____ Monthly Pymt. \$ _____

☒ Trustee will pay **IN FULL Secured Claims:**

Cr. **RELIABLE FINANCIAL** Cr. **RELIABLE FINANCIAL** Cr. _____
\$ **31,500.00** \$ **14,500.00** \$ _____

☒ Trustee will pay **VALUE OF COLLATERAL:**

Cr. _____ Cr. _____ Cr. _____
\$ _____ \$ _____ \$ _____

☐ Secured Creditor's interest will be insured. **INSURANCE POLICY** will be paid through plan:

Cr. _____ Ins. Co. _____ Premium: \$ _____

(Please indicate in "Other Provisions" the insurance coverage period)

☐ Debtor **SURRENDERS COLLATERAL TO Lien Holder:**

☒ Debtor will maintain **REGULAR PAYMENTS DIRECTLY to: SCOTIABANK**

B. PRIORITIES. The Trustee will pay \$507 priorities in accordance with the law [§1322 (a)(2)].

☐

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify claims

☐ Class A: ☐ Co-debtor Claims: ☐ Pay 100% ☐ "Pay Ahead"

☐ Class B: ☐ Other Class:

Cr. _____ Cr. _____ Cr. _____
\$ _____ \$ _____ \$ _____

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = **0.00**)

☐ Will be paid 100% plus % Legal Interest. ☐ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

* For additional other provisions, please see attachment sheet(s).

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from

☐ Sale of property identified as follows:

☐ Other: _____

Periodic Payments to be made other than and in addition to the above.

\$ _____ x _____ = \$ _____

To be made on: _____

PROPOSED PLAN BASE: \$ 56,405.00

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ **3,000.00**

b. Fees Paid (Pre-Petition): (\$ **190.00**)

c. R 2016 Outstanding balance: (\$ **2,810.00**)

d. Post Petition Additional Fees: \$ **0.00**

e. Total Compensation: \$ **3,000.00**

Signed: */s/ Joan Maldonado Orta*
DEBTOR
/s/ Hector L Sanchez Colon
JOINT DEBTOR

ATTORNEY FOR DEBTOR: **/s/ Adela L Torruella**

Phone: **787-713-1892**

UNITED STATES BANKRUPTCY COURT
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Chapter 13 Plan Continuation Sheet

Additional Other Provisions:

Other provisions:

TRUSTEE WILL PAY ATTORNEYS FEES FIRST AFTER CONFIRMATION OF PLAN.

TRUSTEE WILL PAY RELIABLE FINANCIAL \$300.00 AS ADEQUATE PROTECTION UNTIL THE CONFIRMATION OF PLAN.

DEBTORS WILL PROVIDE INSURANCE THROUGH EASTERN INSURANCE.

DEBTORS SURRENDER SHARES TO COOP A/C VA;ENCANO AND COOP ORIENTAL.

DEBTOR WILL CONTINUE WITH DIRECT PAYMENTS TO DSO.

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DEPARTMENT OF TREASURY
PO BOX 9024140
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GE CAPITAL RETAIL BANK
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ROSWELL, GA 30076

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